

The Honorable Theresa L. Fricke

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff,

v.

WAYLAN GRAVES,
Defendant.

NO. CR23-5287DGE

MOTION FOR DETENTION ORDER

The United States moves for detention of the Defendant, pursuant to
18 U.S.C. § 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because this
case involves (check all that apply):

☐ Crime of violence (18 U.S.C. § 3156)

☐ Crime of Terrorism (18 U.S.C. § 2332b(g)(5)(B)) with a maximum
sentence of ten years or more

☐ Crime with a maximum sentence of life imprisonment or death

☒ Drug offense with a maximum sentence of ten years or more

1 ___ Felony offense and defendant has two prior convictions in the four
2 categories above, or two State convictions that would otherwise fall within
3 these four categories if federal jurisdiction had existed

4 ___ Felony offense involving a minor victim other than a crime of violence

5 X Felony offense, other than a crime of violence, involving possession or use
6 of a firearm, destructive device (as those terms are defined in 18 U.S.C.
7 § 921), or any other dangerous weapon

8 ___ Felony offense other than a crime of violence that involves a failure to
9 register as a Sex Offender (18 U.S.C. § 2250)

10 X Serious risk the defendant will flee

11 ___ Serious risk of obstruction of justice, including intimidation of a
12 prospective witness or juror

13 ___ Probable cause to believe the defendant has been found guilty of an offense
14 and is awaiting imposition of a sentence under 18 U.S.C. § 3143(a) and
15 Federal Rule of Criminal Procedure 32.1(a)(6).

16 2. Reason for Detention. The Court should detain defendant because there are
17 no conditions of release which will reasonably assure (check one or both):

18 X Defendant's appearance as required

19 X Safety of any other person and the community

20 3. Rebuttable Presumption. The United States will invoke the rebuttable
21 presumption against defendant under § 3142(e). The presumption applies because:

22 ___ Probable cause to believe defendant committed offense within five years of
23 release following conviction for a “qualifying offense” committed while on
24 pretrial release

25 X Probable cause to believe defendant committed drug offense with a
26 maximum sentence of ten years or more

X Probable cause to believe defendant committed a violation of one of the following offenses: 18 U.S.C. §§ 924(c), 956 (conspiracy to murder or kidnap), 2332b (act of terrorism), 2332b(g)(5)(B) (crime of terrorism)

___ Probable cause to believe defendant committed an offense involving a victim under the age of 18 under 18 U.S.C. §§ 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) through 2252(a)(3), 2252A(a)(1) through 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425

___ Probable cause to believe the defendant has been found guilty of an offense and is awaiting imposition of a sentence under 18 U.S.C. § 3143(a) and Federal Rule of Criminal Procedure 32.1(a)(6).

4. Time for Detention Hearing. The United States requests the Court conduct the detention hearing:

X At the initial appearance

___ After continuance of ___ days (not more than 3)

DATED this 12th day of October, 2023.

Respectfully submitted,

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